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|--------------------------|---|--|
| FREDRIC N. ESHELMAN,     | ) |  |
|                          | ) |  |
| Plaintiff,               | ) |  |
|                          | ) |  |
| v.                       | ) |  |
|                          | ) |  |
| PUMA BIOTECHNOLOGY, INC. | ) |  |
|                          | ) |  |
| Defendant.               | ) |  |

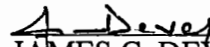
**ORDER**

The public has been given notice of Dr. Eshelman's Motion to Seal and had a reasonable opportunity to challenge it. Although there is a strong presumption of public access to judicial records, information can be sealed where there is a "compelling interest" to do so. *Doe v. Public Citizen*, 749 F.3d 246 (4th Cir. 2014). The privacy interests of non-parties are compelling interests that justify sealing. See *United States v. Smith*, 776 F.2d 1104, 1115 (3d Cir. 1985) (privacy interests of third parties "overrid[e]" First Amendment's presumption of access); *Brigham Young Univ. v. Pfizer, Inc.*, 281 F.R.D. 507, 511-12 (D. Utah 2012) (even with judicial documents, a court must "balance the ... private interests of innocent third-parties"); *Nettles v. Farmers Ins. Exchange*, No. C06-5164RJB, 2007 WL 858060, at \*1-\*2 (W.D. Wash. Mar. 16, 2007) (granting motions to seal with respect to employment information regarding third parties). Dr. Eshelman's Motion was unopposed. Therefore, pursuant to Federal Rule of Civil Procedure 26(c), Local Rules 7.1 and 79.2, Section V(G) of the CM/ECF Policy Manual, and this Court's Joint Stipulated

Protective Order (ECF 59), it is hereby ORDERED that:

1. Dr. Eshelman's Memorandum in Support of his Motion *in Limine* No. 4 to Exclude Evidence and Argument About the Ketek Litigation is hereby sealed; and
2. Dr. Eshelman's Memorandum in Support of his Motion to Seal the Confidential Information of a Non-Party is hereby sealed.

SO ORDERED. This 8 day of March 2019.

  
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JAMES C. DEVER III  
United States District Judge